

BOARD OF MAYOR AND ALDERMEN

November 3, 2004

7:30 PM

Mayor Baines called the meeting to order.

The Clerk called the roll. There were fourteen Aldermen present.

Present: Aldermen Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O'Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault and Forest

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Approve Under Supervision of the Department of Highways

- A.** PSNH Pole Petition #11-1025 located on Candia Road and East Industrial Park Drive;
PSNH Pole Petition #11-1026 located on Bryant Road;
PSNH Pole Petition #11-1027 located on South Willow Street; and
PSNH Pole Petition #11-1028 located on Waverly Street.

Informational – to be Received and Filed

- B.** Minutes of a meeting of the Mayor's Utility Coordinating Committee held on October 20, 2004.
- C.** Minutes of a meeting of the MTA Commission held on September 28, 2004 and the Financial and Ridership Reports for the month of September 2004.
- D.** Communication from the NH Secretary of State submitting the official results of the Fluoride Question which appeared on the September 14, 2004 State Primary Ballot.
- E.** Communication from the NH Department of Environmental Services submitting the 2005 Local Government Financial Test for Manchester Unlined Landfill Permit No. DES-SW-TP-97-009.
- F.** Communication from Comcast submitting the 3rd quarter fee payment of 2004 in the amount of \$274,264.64.
- G.** Communication from James and Mary Anne Downs regarding their recent experience at the September 30th Bette Midler concert held at the Verizon Wireless Arena (VWA).

Accept Funds and Remand for the Purpose Intended

- H. Communication from Randy Sherman, Deputy Finance Officer, advising of the receipt of funds in the amount of \$2,000.00 from the Wal-Mart Foundation for the purchase of exercise equipment and supplies for the Police Department.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN FOREST, DULY SECONDED BY ALDERMAN SMITH, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

3. Update on flu vaccine situation by Health Department representatives.

Mr. Fred Rusczek, Public Health Director, stated thank you, Mayor, for giving the Health Department this opportunity to update the Board of Mayor and Aldermen and the public on where we are with flu vaccinations this year. As you know, every year the Health Department provides about 2,000 vaccinations. We provide them broadly to members of the public and included in that 2000 vaccinations there's typically about 800 to 1,000 city employees, a very important measure to keep our workforce working and free from influenza. This year, as we all know, there has been a significant shortage of flu vaccine so that we have had to change our plans and with me tonight Dr. Sandy Buseman who is the Health Department's Medical Director and will update all of you on what our current plans are, but working with our community providers our hospitals and physicians we've come up with a method to help insure that the flu vaccine goes to those who need it most...there are specific populations that we'll get into in a minute. To help guide the public to their private providers the Health Department will be establishing a hotline tomorrow, we will be managing the flu vaccine for the community and getting it out to providers in a variety of ways, so with that why don't I ask Dr. Buseman to update us on the current situation.

Dr. Sandra Buseman, Medical Director, stated as you are aware in this country and in our community we're dealing with a flu vaccine shortage. I'm going to go backward a little bit before I tell you how we're addressing this at the community level and just again review the history that you all probably are familiar with since the early parts of October. In early October, we all learned that none of the influenza vaccine produced by the Chiron Corporation which is one of the two major manufacturers of vaccine for use in this country would be available for distribution because of contamination and failure to meet the Food and Drug Administration's (FDA) safety standards. Now by report nearly 4.5 million doses were found to be contaminated and the corporation was not able to assure the FDA that the remaining doses were safe. So, Chiron's license to manufacturer its vaccine (flu viron) was suspended for three months. This reduced by approximately one-half the expected supply of the trivalent inactivated vaccine otherwise known as the flu shot available to us in this country for this upcoming flu season. At this time, we're expecting nearly 58 million shots

to be available in addition to about 2 million doses of the live attenuated influenza virus otherwise known as flumist the inhaled form of the vaccine which you may be familiar with, however, that vaccine is not appropriate for all age groups. Many health care organizations and practices are without vaccine creating a situation of extreme flu vaccine shortage. The Centers for Disease Control (CDC) plans to ensure that state health departments who are large purchasers of flu vaccine receive at least half of the vaccine they originally ordered regardless of whether they ordered their vaccine through the Chiron Corporation or through Aventist which is the other main vaccine producer for the United States. Now, in New Hampshire the Chiron vaccine accounted for nearly 40% of the total state purchase and all of it was intended to go to the non-profit organizations such as Manchester Health Department. Because of the extreme shortage of the flu vaccine priorities regarding who should receive the flu shot have been set and should be closely adhered to. The priority groups include all children age 6 to 23 months, residents of nursing homes and long-term care facilities, adults age 65 and older especially those with chronic medical conditions involving the heart, the lung, the kidney or those who have cancer, HIV or other immunological disorders, all women who are pregnant, children on chronic aspirin therapy, health care workers who provide direct patient care to those patients who are severely immunocompromized, out-of-home caregivers and household contacts of children who are less than 6 months of age, and persons ages 2 to 64 years with chronic medical conditions including heart, lung or kidney disease or cancer or HIV infection or other severely immunocompromized condition. Now, the extreme vaccine shortage situation that the entire country is facing warrants at the local level a community response which is what we are undertaking here in Manchester. We have met already with key community health care providers and organizations and with the State of New Hampshire's approval our community will implement the following strategy. The Manchester Health Department will monitor vaccine availability and needs within the Manchester health services area and will distribute vaccine received from the State. This vaccine will ultimately be directed to the local health care settings, practices and providers who will administer the vaccine to patients in need. Providers will identify their patients who meet the criteria I mentioned previously to receive flu vaccine under the current severe shortage situation. This identification of patients requires access to review of patients medical records. Providers would then offer vaccinations to those prioritized persons through scheduled appointments. Now, residents of long-term care facilities such as nursing homes will be vaccinated within their facility. This is a fair and science based approach to make ensure that the vaccine is given to persons who need it the most, putting vaccine in the hands of a health care provider who know their patients and their patients medical histories and problems. In this way our community can be most sure that the vaccine is being used most appropriately for individuals who would most likely benefit from it. As Fred mentioned the Manchester Health Department will establish a separate telephone line for health care providers in the health services area to direct any influenza vaccine related questions or requests for vaccines. We have requested lists of all long-term care and group home facilities within this health services area as well as a list of all medical clinics and practices and we're requesting that the State of New Hampshire send

to the Health Department all vaccine that becomes available to the Manchester health services area and then we will go ahead, the Manchester Health Department will distribute it based on identified needs. Now, we already have the support and cooperation of our community partners and many of our community partners in this effort. As Fred mentioned and as you know the Manchester Health Department typically annually orders a large supply of vaccine that's administered to the public either in our own facilities or in flu clinics that are held at other locations outside of the Health Department. At this time, the Health Department will not be providing such flu clinics because, quite frankly, we're not in the right position to verify client's health care status through review of their personal medical records to determine their eligibility to receive vaccine in this extreme shortage situation. Primary care and other health care providers are appropriately positioned to do so. We have purchased vaccine from the State but it's likely that we'll divert that supply to practices and providers in the area who are in need because they have patients who fall into the high risk categories. At this time many agencies across the state and in our community including hospitals and clinics do not have an adequate supply of flu vaccine, some have not received any flu vaccine. For example, one oncology practice in the area has received very little flu vaccine to date and the clients served by that practice, cancer patients, certainly do indeed need to be vaccinated so it would be appropriate for the Manchester Health Department, for example, to redirect our own vaccine supply to that medical practice. Now, we are waiting to hear definitively from the State Health Department when we can expect to receive the influenza vaccine. As of this morning, I was informed that the State anticipates shipping the vaccine very soon. The State planned to distribute the flu vaccine as being reviewed. Once it's signed off on, so to speak, the goal will be to ensure that health care organizations, providers of health patient care, etc. will receive at least half and preferably more of the vaccine supply that they were originally anticipating. The State already has the vaccine, a large part of it in storage and this State is anticipating it could receive even more from the federal government and the CDC at some point in the future so it is likely that the vaccine will come to us in incremental stages. The Manchester Health Department will serve as somewhat of the broker, if you will, of the vaccine to the health services area and will keep careful counts assessing the tracking and the need and distribution of the vaccine during this process. Now, we have been told that in January more flu vaccine may become available because the Aventist Corporation is apparently ramping up vaccine production which begs another question in January, will folks really want to be vaccinated. I guess that's a situation we'll have to address when the time comes. Certainly, this flu vaccine shortage is a difficult, complex, frustrating situation but the approach that we are taking I believe is the best opportunity to meet the challenge in a way that serves the public in a fair, rationale, and science based manner. Are there any questions or comments?

Mayor Baines asked are there any questions from the Board and called upon Alderman Lopez.

Alderman Lopez stated I've already spoken to Fred. What other procedures are being put into place as to, for example, I had a couple of people that called me about getting the shots and that's why I talked to Fred Rusczek. The procedure is that they are going to have to fill out some form or get something from the doctor and provide it or can this all be done in advance till you get the information relative to the procedures.

Mr. Rusczek stated given the population that we're dealing with primarily the 65 and older and those with chronic illnesses usually those folks are connected to their physician already, so what we'll be doing is asking people to call their physician's office and then we'll be behind the scenes working with the physician's office to get vaccines to them through a variety of different avenues.

Alderman Lopez stated so you're dealing directly with the physician and the patient will go to his physician to get the shot. While you're on TV here, Doctor, maybe you can pass onto the public during this period of time what are some of the prevention aspects that we can go through...I know that with Catholics we shake hands.

Dr. Buseman replied you can still shake hands just wash them afterwards...wash your hands frequently, that's the best way to prevent any infection, generally speaking. But, certainly eating well, resting well...if you do think you're ill with the flu or anything else stay at home, don't go to work, don't infect other people. The same is true for you if you have an acquaintance or someone who's ill don't be around that person because chances are you could be exposed to the virus in the case of the flu or if it's another condition you could be exposed and then come down with it yourself.

Alderman DeVries stated if I heard you correctly you indicated that there is going to be a tracking mechanism in place for the utilization and I'm just curious, a brief answer, is that going to be done through your office or through the State?

Dr. Buseman replied through us.

Alderman DeVries stated that will come back from the physician.

Dr. Buseman stated yes we're working with the physicians, the hospitals and other organizations...they're telling us how much vaccine they have right now and how much they need and we've got a big spreadsheet that we'll be updating throughout the process.

Alderman DeVries stated and who they chose to administer their vaccine too as well, I thought.

Dr. Buseman asked you're wondering are we going to get a list of the patients receiving the vaccine?

Alderman DeVries replied yes that was my interpretation of the tracking, not a listing of names but a prioritization of the individuals chosen, I misinterpreted that.

Dr. Buseman replied I think we'll be getting counts, I don't think we need to know the names of people who get the vaccine, I think that's kind of personal information that probably doesn't need to make it's way back to us and we certainly do trust that a health care provider can make the judgment with his or her patient whether or not they're appropriately being vaccinated, we don't need to double check the providers.

Alderman Osborne stated, Fred, I talked to you about this today...how do you determine the number of vials going to each physician or doctor?

Mr. Rusczek replied this year there is a shortage, so physicians aren't typically going to be able to get what they would normally get if they were a general practitioner because not all of their patients will be high risk. We are going to do our best to dole it out fairly and one of the challenges is it's not like we get a shipment tomorrow of 20,000 doses, it might be spread out over a period of time, but we're working with them now to assess the number of high risk population so that we can fine tune the distribution the best we can.

Alderman Osborne stated so you're taking a count with them now, is that what you're saying.

Mr. Rusczek stated we're working now to get that information. In closing, we did tape on our public health show on influenza, it will be shown this weekend on MCTV at 4:00 in the afternoon and at 8:00 in the morning. We'll be updating our website with current information and again we will be issuing a press release tomorrow highlighting a flu hotline that we'll be updating regularly. Thank you.

Report of the Committee on Joint School Buildings:

- I. Advising that it has approved the use of contingency funds to replace the bleachers and the intercom system at Central High School per Gilbaine's proposal dated October 25, 2004.

Alderman Roy stated just an update. There has been a lot of conversation in our Committee on Joint School Buildings meetings and outside of Joint Schools regarding use of the contingency funds and I've asked Finance Director, Kevin Clougherty, to attend our next meeting to update the Committee as well as the School Committee Members on what the uses of contingency funds.

Alderman Roy moved to receive and file the report of the Committee on Joint School Buildings. Alderman Garrity duly seconded the motion. There being none opposed, the motion carried.

5. Nominations to be presented by Mayor Baines, if available.

Zoning Board of Adjustment, Alternate

Brian DesFosses term to expire March 1, 2007

Mayor Baines nominated Brian Desfosses to fill a vacant alternate seat on the Zoning Board of Adjustment, stating if you look at Brian's resume he has outstanding qualifications and is the type of person we're trying to bring into government to serve on these very important posts and Brian is actually here this evening and if it's the will of the Board I would accept a motion to suspend the rules and approve.

Alderman Sysyn moved to suspend the rules and confirm the nomination of Brian Desfosses as an alternate position on the Zoning Board of Adjustment, term to expire March 1, 2007. Alderman Porter duly seconded the motion. There being none opposed, the motion carried.

Mayor Baines stated again to remind the public at home if there is an interest in serving on various boards and commissions in the City we're always looking for people like Brian who are interested in getting involved in government and if you could send your letter and resume to the Office of the Mayor, One City Hall Plaza and when nominations become available we'll certainly consider them. Thank you.

OTHER BUSINESS

6. A report of the Committee on Human Resources/Insurance was presented advising that it has approved Ordinance:

“Amending Sections 33.024, 33.025 and 33.026 (Reconstruction Coordinator) of the Code of Ordinances of the City of Manchester.”

providing for change in class specification and salary grade, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

Alderman Garrity moved to accept, receive and adopt a report of the Committee on Human Resources/Insurance. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

7. A report of the Committee on Lands and Buildings was presented recommending that the St. Joseph's Meals on Wheels program move into the new Senior Center.

Alderman Thibault moved to accept, receive and adopt a report of the Committee on Lands and Buildings. Alderman Osborne duly seconded the motion. There being none opposed, the motion carried.

8. Report(s) of the Special Committee on Riverfront Activities and Baseball, if available.

Deputy City Clerk Johnson stated there were no reports, however, wished to advise that the Committee did recess until 4:00 PM on Monday.

9. Communication from Alderman O'Neil relative to the Board's recent vote of October 26th setting the tax rate.

Alderman O'Neil stated the letter speaks for itself. My two areas of serious concern are the Board considering restoring the two ladder trucks that will be out-of-service for the remainder of the year based on the action we took last week. As I indicate in the letter it affects many wards in this City, having both trucks out, I believe I confirmed with the Chief this morning a dollar amount of \$300,000 will restore those ladder trucks, the second area of great concern to me and I hope others will be funding at the Highway Department regarding snow plowing, the treatment of roads...as Frank indicated I think there was a 67% increase in diesel fuel, 33% increase in salt somewhere totaling around \$385,000 and doesn't leave them a lot of room to work and I think we need to be working in a number, I don't know if Frank needs it in his budget right away, but at least have somewhere in the area of \$500,000 available if we have a normal winter. Otherwise, we're going to see streets delayed in plowing as Frank indicated last week and may only get treated by salt once instead of the normal twice that happens now and hopefully...I don't want to speak for Chief Jaskolka or Director Rusczek but they said if nothing serious happens to their departments they should be able to get through but that could change tomorrow. Is it my understanding, your Honor, that we have somewhere around \$530,000 in contingency, is that correct?

Mayor Baines replied I don't think we've actually transferred the salary adjustment...I think we had about \$125,000 in contingency plus we have \$750,000 in the salary adjustment account and the recommendation that came forward last week was to transfer \$250,000 back to the Fire Department and the remainder going into salary adjustment.

Alderman O'Neil stated my understanding is that the \$250,000 would address the settling of the contract, correct. Actually, it doesn't even given them enough to settle the contract, but I think he'll make that work. I think these are two very serious situations...Kevin, am I correct that approximately \$800,000 would be about \$.15 cents on the tax rate or something like that.

Mr. Clougherty replied every million is \$.19 cents.

Alderman O'Neil stated I would move, if it's not too late...

Mayor Baines stated no, Friday. What would your exact motion be?

Alderman O'Neil stated it's been suggested by one of my colleagues that we consider taking them separately and moved...I guess the process would be that it go into contingency and then transferred to the department sometime soon.

Mayor Baines called upon Mr. Clougherty to respond.

Mr. Clougherty stated you could certainly do it that way or to salary adjustment.

Alderman O'Neil stated I think the Fire Department issue is we need to get money into the department today and moved that \$300,000 be returned to the Fire Department to restore the two ladder trucks in the City.

Mayor Baines asked before I take a motion where would that money come from?

Alderman O'Neil replied I'm suggesting that we increase the tax rate to do it.

Mayor Baines stated why don't we have a little bit of discussion.

Alderman Gatsas stated just from so-called "fire house chatter" because I've had some concerns just like Alderman O'Neil about the safety of citizens in the City...my understanding, Chief, maybe you can come up and help me with some of this chatter that I'm hearing. Chief, some of the chatter that I'm getting is that right now, and correct me if I'm wrong, when you took the two ladder trucks down you didn't lay any employees off, did you?

Chief Kane replied that is correct.

Alderman Gatsas stated that was, in effect, having people do summer vacation duty to go forward. Would you agree that in the next eight months the vacation time for this 12-month period has been used around a 70-75% level?

Chief Kane replied I don't think I agree with that. I believe that the way that we administer our vacation is we try to spread it out throughout the entire year so that even though the summer period is the heaviest period there are other areas during the year that are heavy. Basically, anytime the kids are out of school is a heavy period of time including the spring.

Alderman Gatsas stated some of the other chatter I'm hearing, Chief, is that we are putting four and five people on trucks that really only need three to be at a full accommodation and we're having people wash floors and do various things to stay busy because we haven't laid anybody off and that's the chatter I'm hearing from people that are within the stations that bodies are there, the ladder trucks could be manned and they could be put on the road. Now, I'm not saying that you don't run out of funds in June but I believe that the ability of manning those trucks is here today and we shouldn't be putting this fear in the citizens of Manchester, it's not like those bodies have been laid off, they're in the Fire Department, they're manning other vehicles to an extreme that you don't need them on and the ladder trucks could be manned.

Chief Kane stated certainly I'm not trying to put a fear into anyone's mind here and you are correct in regard to what we're doing with our manpower. In regard to the manpower we do have additional manpower and I have stated that before this Board that in certain cases when we do have that manpower we are putting people on a pump, for instance, Station 5 and Station 2 we typically try to put four people on those pumps because typically there would only be five people, so because the response is down in that area we are up on manning the people on those pumps.

Alderman Gatsas stated but at this time, Chief, there is no reason not to have those ladder trucks manned and in operation.

Chief Kane replied I do not have enough people to man those ladder trucks full-time, all the time and that's simply the case. What we do on a weekly basis is staff the engines...

Alderman Gatsas interjected just so I don't get confused, Chief, if you had the ability to man those people four months ago before this budget was put in place what happened to those people if you haven't laid them off?

Chief Kane replied we're using those people to cover vacations where we normally would be using overtime, we're using those people to cover sick leave where we normally would be using our overtime. So, we are taking those people...if a person that say is on Engine 5 and a person at another station calls in sick we'll take that person from that engine company and move him to another engine company, so we're basically using those people are floaters and we use them in that way on a daily basis so that we don't incur overtime.

Alderman O'Neil stated just some notes that might be helpful. Originally, in the Mayor's recommended budget \$900,000 in overtime was recommended, we cut \$200,000 in overtime at the Fire Department...

Mayor Baines interjected and just for clarification the previous year they spent about \$1.2 million.

Alderman O'Neil stated so that left them \$700,000 for overtime and then when the 98% operating budget was put on them that reduced their overtime budget by another \$400,000, so they're actually operating with a budget of \$300,000 for overtime, am I correct, Chief?

Chief Kane replied that is correct. I would state that we do have those people, I've never tried to hide the fact that we have those people and I think that what we are trying to do with those people is filling places/locations in the stations so I can reduced the overtime and that's the intent of those floaters.

Alderman Porter asked, Chief, what would be the downside or what is the downside of the ladder trucks being out-of-service as opposed to another type of vehicle?

Chief Kane replied I'm not really sure if I understand the question but with regard to putting a ladder truck down as opposed to putting a pump down...

Alderman Porter asked what is the downside of having those ladder trucks out?

Chief Kane replied the downside of having those ladder companies down is that in specific areas of the City it will take longer for a ladder to get there. It's not that we're not sending the ladders, we're sending ladders from different areas of the City, so it's a longer travel time.

Alderman Osborne stated I guess we're all for safety, that's for sure, I know I am. Anyway, how about the ladder trucks...in the winter time how often do you...in a snowstorm or whatever...they're not usable as readily as is in the summer. How often do you use a ladder truck if there's a fire? Isn't it kind of dangerous to have a ladder truck running out there in a snowstorm or whatever?

Chief Kane replied the response time in wintertime is the same time as the response time in the summer time for ladder trucks.

Alderman Lopez stated I think there's a misconception here when you're saying putting the ladder trucks into service, how many ladder trucks do you have in service right now?

Chief Kane replied four.

Alderman Lopez asked when you go to a fire, there's a category of fires, do ladder trucks from other stations go to these fires?

Chief Kane replied basically for a single-alarm fire there's two ladder trucks, for a two-alarm fire there's an additional one, for each additional alarm there's an additional ladder truck that would respond.

Alderman Lopez asked when the outlying areas come into Manchester do they bring any ladder trucks?

Chief Kane replied yes they do. Our mutual aid system...we have ladder trucks that come from Derry, Londonderry, Concord, Nashua and Goffstown.

Alderman Lopez stated I guess the problem I have is this, I think that we're trying to manage the Fire Department and you have done a good job over there as far as controlling whatever the situation is. In past years, one or two ladder trucks have been down and you've been in the same situation. So, along those lines in conversation with some of the firemen and yourself and deputy the most crucial time is in the winter time when people start putting heaters on and other different things in their apartments, but as time goes along in running your budget if you decided to put that in it might not be the \$300,000 that you need, it could end up you need only \$150,000 at the end of the cycle or the whole City is even when the Finance Officer makes the final analysis next June that whereby we can do something...we don't even know what the unknown is, we're doing unknown things here and that's what I have a problem with. If we turn around and give you everything that you want and Frank Thomas everything that we want, if we give everybody everything that they want and don't manage the system that's the problem I have. We hire people to manage the system, now you stood before us during the budget process and talked about...I asked a question about safety...are the citizens of Manchester in a safety situation, it doesn't make any difference what I think...you're the Fire Chief, are we putting the citizens of Manchester at a risk are you saying that you can't...you have to put all six fire trucks into place, ladders?

Chief Kane replied that's a very difficult question. I could say the easy answer is yes but what you're doing is you're assessing a risk and as you're assessing that risk you determine what risk level you want. Obviously, with two ladder trucks down the risk level is not as great as it was when I had six ladders, so in certain areas the response time will not be there. When I say there's a serious danger and risk within the City of Manchester I would have to say no because the firefighters are out there on a day-to-day basis doing a great job but there is a reduced service level that we have right now because of the ladder trucks out-of-service.

Alderman Smith asked, Chief, how many floaters do you have right now?

Chief Kane replied I believe there are 32.

Alderman Smith stated there are 32 and you can't utilize some of those floaters to man a ladder truck?

Chief Kane replied we can utilize some of those floaters to man a ladder truck. One of the situations that occur and we've been monitoring this since July is that on a day-to-day basis we may have to put a ladder truck in service and one of the other concerns that we would have is that the person handling it and riding on the ladder truck and the floaters we're talking about are basically the rookies, the young people with about a year on the job, so they don't necessarily have the experience on those trucks yet. For instance, the truck over on So. Main Street is a tiller truck where there is a driver in the front and a driver in the back and it takes considerable experience to drive those trucks.

Alderman Smith stated I told you about the situation where you didn't have a ladder truck on the whole west side and an incident happened a couple of weeks ago, I think you had mutual aid to Bedford, am I correct?

Chief Kane replied that could be true, yes.

Alderman Smith stated I would think...it especially involves my ward and the whole west wide (10, 11 and 12) and in my ward we're going to be reconstructing, I believe, a new station so the ladder truck will definitely be out during the course of construction. When do you plan to proceed with construction and a new fire station?

Chief Kane replied the plan at this point in time is for next spring. We hope to start construction during the month of May.

Alderman Roy stated I was one that heavily supported bringing down our overtime when we discussed the Fire Department budget and as the Chief can attest to and Aldermen O'Neil and DeVries can attest to worked many nights to try and figure out what we can do, but I would like to bring to this Board's attention some of the numbers that the Fire Department has given to me. Overtime for July, August and September of last year was over \$366,000. For the same period this budget session July, August and September it was \$111,000. So, by having the ladder trucks out for the beginning of this year we did definitely help out through the Chief's management bring down our overtime budget. So, we got through the busiest months of vacation time, but where I have a very severe problem is having ladder trucks out through the heating season. With fuel prices as high as they are people start going ahead and doing foolish things with their heating and bringing up the time that the firefighters will actually be on-sight. So, I support Alderman O'Neil's motion when he makes it and I would like to second it and would like to get the ladder trucks back in full service at the soonest available time whether that's through management of the floaters or increasing the tax rate.

Alderman Shea stated we've talked all night about ladder trucks could you define what is meant by a ladder truck so everyone knows what you're talking about.

Chief Kane replied we basically run four types of trucks. There's a pump or engine which is basically covered with three people and that pumper engine is a vehicle that carries and pumps water where the water comes from to fight the fire and the firefighters on that vehicle do the interior firefighting. A ladder company is a vehicle that carries ladders for getting up on a roof and ventilating a building and getting into the building through a second story. So, basically, it carries about a 100-foot ladder or elevated platform so that the firefighters can work above the fire and that usually carries two people. There is also a single rescue vehicle that does extrications and those types of things with four people.

Alderman Shea asked could you give me an idea as to the longest period of time a ladder truck has been out-of-service. I know that Engine 7 was out for how long?

Chief Kane stated you mean Ladder 7.

Alderman Shea replied yes.

Chief Kane replied I'm going to say approximately six months. The ladders are not...we don't have any spare ladders per se, so ladders go in and out of service as maintenance is required so I'm going to say six months, it could be maybe eight months.

Alderman Shea stated I think, Joe, it was really longer than that...when they renovated Station 7. It was almost over a year, I thought.

Chief Kane stated for a period of time Ladder 7 although it was not located in that station and was out-of-district was down to Engine 3 for a while and then it was up to Mammoth Road because Ladder 3 was out-of-service, so there was a period of time it was out-of-service but there was also a period of time that it was out-of-district as we call it.

Alderman Shea in reference to the Webster Station asked are there more than one vehicle(s) there now. I know I rode by the other night and I saw three fire vehicles. I couldn't identify them but one night I rode by...is there only one there usually or are there two or three?

Chief Kane replied Station 5 on Webster Street is typical of Station 7 on Somerville Street...there are basically two manned vehicles...an engine and a ladder. You may see another vehicle in there. Sometime we house spare vehicles, if you saw three vehicles it was probably a vehicle that was a spare vehicle.

Alderman Shea stated on at the Webster Station on Webster Street there are now two fire vehicles to fight any fires that occur in that general vicinity, is that correct?

Chief Kane replied one of them is the engine that is manned and currently the ladder that is in there is Ladder 5 which is out-of-service.

Alderman Shea stated so there is only one vehicle there.

Chief Kane replied that is correct.

Alderman Shea asked what happens...has there been any problems since the ladder truck on Webster Street has gone out-of-service, has there been a problem concerning with fire...

Chief Kane replied we have had a couple of fires up in that area of the City and we were able to get to those fires and the firefighters were able to get in and extinguish the fires. There were a couple of pretty good fires up in that area. But, what occurs is that the initial company up there roll in with three people as opposed to five people so that first ladder company would have to come from downtown on Merrimack Street.

Alderman Shea stated so if there's a fire up in the northend of the City of Manchester the Webster vehicle will go to it and then the one up near Derryfield Park does not respond, is that correct, it's the Central Station that responds.

Chief Kane stated actually if there's a fire you will see the Webster Street station go and you will see Central also go and depending on exactly where the area is you'll probably see Mammoth Road fire station also go. So, you'll have numerous fire stations responding to the fire.

Alderman Shea stated I know that before they built the fire station on Industrial Park the engine down by Grenier Field where the airfield is located usually use to take about (in the winter time) between 10 and 12 minutes to get to a fire in the extremity of Ward 8. How long would it take in case of a problem in the northend of the City to respond, is it 12 minutes, is it 8 minutes, do you have any kind...I know that the dispatcher sometimes keeps a record of that. How long a period of time are we talking about?

Chief Kane replied the initial response time from the engine would be the same because the engines are still there, so we would typically be under a four-minute response. What we're talking about is a longer response for a ladder company to come.

Alderman DeVries stated, Chief, a few questions because I know what people have expressed is a grave concern that during the winter months for the incidents the potential for fires being greater that they have more complete coverage in the City. Have you broken this down...and the Fire Department operates and their scheduling at 8-week cycles and because it is unionized you have to stay within the rules of contracts. So, have you broken this down to look at the cost for one ladder truck to put it back in service for eight weeks. I just heard a figure, I think Alderman O'Neil had thrown out \$300,000, I'm just wondering. So, if we choose to direct you or to ask you to put them back in service for 16 weeks, two weeks to

carry us through the winter, one truck or two trucks, would you tell us the cost for it so we can start breaking this out.

Chief Kane replied I'm going to have to do this off the top of my head because I don't have that cost.

Alderman DeVries stated wasn't it \$250,000 a ladder truck for a year the cost or...

Chief Kane stated we had said \$200,000 and that's why the cost for two ladder trucks for the rest of the year we said about \$300,000. If you break that down to the next 16 weeks you're probably about half of that.

Alderman DeVries stated so \$150,000 is that what I'm hearing for you to put two ladder trucks back in-service for 16 weeks which would be during the majority of the winter. Can you tell me when your next 8-week cycle starts.

Chief Kane replied Sunday.

Alderman DeVries stated this coming Sunday.

Chief Kane replied that is correct.

Alderman DeVries stated which is November carrying us through the eight weeks. Do you know the 16 weeks from now, it sounds like February.

Chief Kane replied something like that.

Alderman DeVries stated that would carry us through the November through February. I have one last line of questioning, if I could, because I think the other direction...certainly, when I was speaking with you last time and Alderman Gatsas was taking you there again tonight...if you have, as you said you are now carrying 32 floaters and I understand you never know what kind of injuries you're going to have to cover in any given week or mid-week, who's going to be out sick with the flu season, vacations, etc. so you cannot sit here today and know what your load is going to be for covering with floaters, so it's kind of a guess, but if you do hit a week where you have sufficient manpower, you have covered all of your overtime and you have the ability by the contractual rules to move people to a ladder truck do you find that you are better protected in that the manpower use is better by putting the truck back in service or by beefing up the pump, the engine so that you're delivering one less truck but more people.

Chief Kane replied correct; that is the theory that we're operating on now is that the initial hit from the engine company...we're looking at hitting the operation by four people as

opposed to three people so obviously we get more effective use of the manpower that way as opposed to just hitting it with three people. We looked at the last month, our operation in the last month in regard to the floaters and there definitely are some days, I think about 20% of the days of last month where we probably had enough manpower to put those ladders in service, but that's a call that really can't be made until eight o'clock in the morning or six o'clock at night and then you have to assure that those people that are going on those trucks are familiar with those trucks and trained with them. You can't just say you, you and you go drive this truck. These are half million dollar vehicles.

Alderman DeVries stated one final question, Mayor, if I may because I also think there are some discussion that there might be some costs associated with a yet to be concluded contract that concern you because certainly when we funded your budget it was funded tight. I don't think anybody in this room disagrees with that. Do you anticipate those costs coming to you from Day 1 when that contract is put in place of will that be cumulative over the rest of your budget year meaning you might have some of the impacts hitting you Day 1, some of the financial impacts might actually come in later in the season for the budget year?

Chief Kane replied that is a situation that we always work with the Finance Department on. I know that the Finance Department likes to get the department through the year the best way they possibly can and then fund those shortfalls at the end of the year. Either way, one way or the other, is fine but the only problem...we never had a problem with this but if I don't have the money in my budget there's absolutely no guarantee...if the money's not deposited directly into the Fire Department account we really don't have any guarantees but on the other hand we've never really had a problem working with the Finance Department on the other way. I guess I'd have to ask Kevin which way he would like to handle that.

Alderman Osborne stated, Chief, I'm just a little confused here...you said the complement is the same, no one was laid off and you put two ladder trucks out, how much money did that save you by doing that and why did we do that?

Chief Kane replied the reason I did that is because the shortfall that I had in the budget was in overtime and so what I did was to take those people off those trucks and instead of hiring someone from overtime, I would take one of those persons and put them in that overtime position, so that we wouldn't incur the cost of overtime.

Alderman Osborne asked how long does it take to man these ladder trucks if something does happen. If they're parked there how do you get them going again. What's the involvement or the cost or whatever? Let's do it this way, over the years, do you have statistics as to where the fires have been in Manchester...east side, west side, south end or anything like that...do you have statistics at all on where the most fires have been?

Chief Kane replied I don't have that here but I can tell you off the top of my head...for the most part you're going to be dealing with the higher fire incident basically where you'll find three deckers, it's the older housing stock, they're closer together, the population is more dense, so you're going to have a higher fire load. So, it's basically center of the city and center of the west side where you have three deckers over there.

Alderman Osborne stated so you're talking Ladder 1, Ladder 7 basically where you have the ladders.

Chief Kane replied right that would be some of the busier ladders.

Alderman Osborne stated they're there now and mobile right now in those two.

Chief Kane stated right.

Alderman Garrity stated, Chief, normally you have 6 ladder trucks, is that right?

Chief Kane replied that is correct.

Alderman Garrity asked what is the increased response time without those two ladder trucks?

Chief Kane replied obviously where those ladder trucks are currently there is no increased response time in those areas. You would see an increase in the response time in the north end section of the city but that would be about three minutes. You'd also see increased response time in the south and west side by about three minutes.

Alderman Gatsas stated, Chief, let's go back to my firehouse chatter. Until I had communications with different firemen I would have assumed hearing this \$300,000 number it's about a straight waged time and it really isn't, it's about restoring your overtime budget.

Chief Kane stated that's absolutely correct.

Alderman Gatsas stated correct me if I'm wrong. If we were to take those 32 floaters...basically, we're coming back and restoring overtime and I've asked for an overtime report, I know that you've said you've sent them, I'm asking for a very simplified one. What's your total complement in the station, total number of firemen?

Chief Kane replied 257.

Alderman Gatsas stated what I would like to see is a list from 1 to 257, two columns, overtime, regular wage...not on a weekly basis where I have to fish through it for each one of those people during a 52-week period and I would like to see that same schedule or a year-

to-date schedule as we are today in '03, '04 so that I can see when I see the 257 people how many of those people are receiving the overtime because my problem is that if the 32 floaters are at the bottom of the echelon, at the lower wage then paying that person overtime is at a much different rate than the person that's receiving \$50,000. The overtime distortion, if you have an employee that's earning \$25,000 and you have an employee that's earning \$50,000 and we have to put them in a spot right here to cover overtime...if I take the \$25,000 person on a per hour basis and pay him the overtime rate it's a much cheaper rate than if I'm taking a \$50,000 person and putting them in that overtime rate. So, the report I would like to see is where the overtime wages are going because if we're restoring \$300,000 to overtime we shouldn't have ladder trucks out-of-service. We could probably look and I don't want to micromanage, I've heard a lot of micromanaging here we could look at training and those things because my understanding is from the firehouse chatter that those are placed that we could cut back to restore ladder trucks and I don't want to micromanage you and I don't want to get into that but those are issues that people are bringing up to me.

Chief Kane stated I can tell you that all of those areas this year and I certainly have reports that I can give you so you can see have all been significantly cut back. There are two other points that I would like to make. First, the report that you asked for last spring which I thought you received is my understanding after our last conversation because that report...

Alderman Gatsas interjected, Chief, I did receive that report but that report shows me on a weekly basis the overtime. I can't do the math, I would like to see 257 firefighters, I would like to see their overtime rate and the gross wage that they receive for the year. I don't want to see it in 52 sheets, I want to see it on one.

Chief Kane replied I understand.

Alderman Lopez stated I think we've come to the conclusion that the winter months are the most important time that the ladder trucks which is November, December, January and February, I think we all agree to that. We're giving you \$250,000 to start off with and you said for 16 weeks it would be \$150,000 more. A question for the Finance Officer...if we had a resolution drawn up for \$400,000 to transfer to the Fire Department my math tells me we would have \$350,000 left in the salary account and \$130,000 in contingency.

Mr. Clougherty stated my understanding is that at the last meeting of the group the decision was to restore the salary adjustment at \$750,000 and at that time you had \$130,000 in contingency. Out of the \$750,000 we're going to earmark \$225,000 to the Fire Department.

Alderman Lopez stated you're right, but we had another \$150,000 because I think we all agree that the winter months are the most important aspect of this whole conversation because people do all kinds of things in the apartments that I won't even get into. So, we already said that we're going to give them \$250,000 and he's indicated \$150,000 would be

for 16 weeks to put the ladders back into place, so that's \$400,000. In my opinion we would just have to vote that in as a resolution and you could draw it up and transfer \$400,000 to his department, is that correct?

Mr. Clougherty replied understanding that the balance in that item is now lower for all of the other city departments.

Alderman Lopez stated understanding that there's \$350,000 in the salary line item and another \$130,000 in contingency and we can transfer back into salary line item if we want to or salary line item into contingency.

Mr. Clougherty stated if you look at it the different way that \$750,000 you took away \$250,000 so you have \$500,000 plus the \$130,000 is \$630,000 that you had available for departments. If you want to take \$400,000 of that and give it to the Fire Department you only have about \$200,000. Oh, you're adding it to...

Alderman Lopez stated no...the balance would leave us \$480,000 in salary and contingency, that's my point. So, if we just amend it...the \$250,000 and made that \$400,000 and write a resolution and transfer \$400,000 will take care of his particular problem...put the ladder trucks in the most important...whatever he decides for the winter months because of the high risk factor and I would like to make that a motion to amend.

Mayor Baines stated I had not taken Alderman O'Neil's motion, so we could discuss it, so I would like to at least give Alderman O'Neil a chance to introduce his motion first as a courtesy.

Alderman O'Neil stated as a comment it was pretty interesting that last spring many members of this Board stood out on East Industrial Park Drive cutting the ribbon for a fire station that cost us, a new additional fire station in this city \$1.2 million a year to man, we paid \$700,000-800,000 for a piece plus the \$2. or \$2.5 million to build the station...everybody stood out there and that was fine. But, I cannot sit here and believe that this Board is going to take a vote to jeopardize public safety and that's what we're doing. We're voting to jeopardize public safety and it's true fires happen and there's more a likelihood of them happening in the winter time because of heating issues and Christmas trees but there's a reason why we have a Fire Department 12 months of the year, 365 days a year, 24 hours a day. You can't predict when a fire is going to happen. Do the right thing restore the \$300,000 to the Fire Department's budget to put the ladder trucks back in service and I'll make a motion on that.

Mayor Baines asked the motion would be exactly what because you're actually raising the amount of the appropriation now that we've already settled, so how would that be worded, Kevin?

Mr. Clougherty replied he's not raising the appropriation with respect to the Fire Department giving them a little bit more latitude than the 2% and that will have a tax impact when we set the tax rate.

Alderman O'Neil stated unfortunately, your Honor, what we do with this is also going to affect the problems with the Highway Department, but we'll start here with the Fire Department.

Alderman O'Neil stated I will move per the recommendation of the Finance Officer...the Fire Department we need to get them \$300,000 in additional money to restore the ladder trucks.

Mayor Baines stated I don't think he's recommending it.

Alderman O'Neil stated I then will move to increase...Kevin, how much is \$300,000 on the tax rate?

Mr. Clougherty replied if you raise \$300,000 you go from the current proposal which is about a 5.5% tax rate increase to about as 5.8% increase.

Alderman O'Neil stated about six cents (\$.06) correct. I'll move on that, your Honor.

Mayor Baines stated before I accept that you're going to make another motion to increase it even further?

Alderman O'Neil stated for the Fire Department.

Mayor Baines stated you're going to make a motion to add money to another department to increase...

Alderman O'Neil interjected I, for one, have very serious concerns about snow removal this winter. Let's take care of one at a time, that's what they asked for.

Mayor Baines called for a vote on the motion by Alderman O'Neil. Alderman Roy duly seconded the motion.

Alderman Shea stated I, personally, resent the fact that one Alderman here comes before the Board and says that anyone that votes against an appropriation of \$300,000 is putting the safety of any citizen in this city at jeopardy. Your Honor, no one, no one in their right mind would want to put anybody's life in jeopardy. But, I resent my colleague over there telling me that if I don't approve a \$300,000 addition to the budget when we've already added

\$250,000 plus \$150,000 that we're going to jeopardize the safety of the citizens of Manchester that is beyond my comprehension and if there's a roll call I'm going to tell you beforehand that I'm not voting for it.

Alderman O'Neil asked, your Honor, can I respond to that?

Mayor Baines replied yes you may.

Alderman O'Neil stated to begin with the \$250,000 is for salary adjustment to pay for hopefully a contract we're going to approve later tonight, it has nothing to do with putting the ladder trucks back in-service and I'll stand behind my comment that you are jeopardizing public safety and when your station was constructed, Alderman Shea, those trucks were not put out-of-service they were relocated to other parts of the city so we still had the same number of firefighters on duty. So, what's good for the good should be good for the gander.

Mayor Baines stated I would like to ask the Chief because I didn't hear in any of his comments say that we were jeopardizing public safety. So, I would like the Chief to respond to that.

Chief Kane replied I didn't say we were putting the citizens in the City of Manchester in jeopardy in regard to that. What I basically said is that we are reducing services, obviously because of the trucks and the response time would be increased but that's a very strong statement.

Alderman O'Neil interjected reducing fire services is not jeopardizing public safety, it's the same thing. Let's not play games here with semantics here.

Mayor Baines stated I'm just trying to get the Chief to...

Alderman O'Neil stated we don't have the Fire Department to go...

Mayor Baines called upon Alderman DeVries.

Alderman DeVries stated I think when I was asking my questions earlier and we zeroed in on \$150,000 covering a 16-week cycle what I had envisioned in the next round of questions to ask of my fellow Aldermen is maybe a compromise because I don't disagree, I'd like to increase the funding for Chief Kane. I also agree with other Aldermen who are saying that during the course of this year there may be future opportunities for chief Kane to continue to manage his budget with either a station closing or other opportunities and it may be less drastic. I think my thought was because we also know we have Highway Department that will have some critical issues this winter is that we consider instead of allocating all of the funds to one department, increasing our contingency because...and, Mayor, I think you

mentioned it when you made your presentation...that's a very uncomfortable amount of money that we have put aside to deal with any kind of emergencies that we may have or even to deal with our regular services that the citizens of this city are used to receiving. All of our departments and I don't think the people at home realize the drastic measures that we have taken to keep the taxes down in this city. Not only did we cut (initially) two percent (2%) on the city side across the board of the services the wage increases have not been funded in any of the city department budgets which is an additional low on top of the 2%. So, every city department is scrambling right now to try to make ends meet through the course of the year and managing their budgets as best they can. I don't want to see any firefighters go home, I don't want to see citizens put at risk, absolutely, none of us do. But, we do want to try to work with the Chief, fund it as appropriately as we can with minimal measures, I think we were talking six cents (\$.06) increase on a tax bill gets us to \$300,000...let's put some of it towards the winter months to get him through February, by February he's going to have a more exact date when he has a station closing...there may be additional savings, let's put some other money aside for the Highway Department or whatever other unforeseen emergency might come along...six cents (\$.06) is not unreasonable to increase.

Mayor Baines asked are you supporting the \$300,000 for the Fire Department or are you...

Alderman DeVries replied I am supporting splitting it and increasing our contingency by \$150,000, by dedicating \$150,000 to the Fire Department today.

Mayor Baines asked do you want to make an amendment to that motion.

Alderman DeVries replied I would make a friendly amendment if it would be accepted.

Mayor Baines replied I would accept it.

Alderman Gatsas stated you can't accept it.

Mayor Baines stated I can accept an amendment to any motion.

Alderman Gatsas stated the maker has to accept the amendment.

Mayor Baines stated oh, if he wants to accept it, right. Are you willing to accept that?

Alderman O'Neil stated I guess my question to Alderman DeVries would be that it only gets us through February, we're still at that high winter, high heating, high risk...February into March...

Alderman DeVries stated through April you are, I agree.

Alderman O'Neil stated that concerns me. And, I'm not saying I'm against Alderman DeVries' motion. I am in favor of restoring the two ladder trucks for the entire year, I want to be perfectly clear about that, but I am willing to listen to a compromise that is at least going to move this discussion forward.

Mayor Baines stated to get anything done we have to get at least a majority vote and I think Alderman DeVries is asking would you accept that friendly amendment to allocate \$150,000 to the Fire Department and put the other \$150,000 in contingency to help with this issue or the Highway issues or any other issues that might arise.

Alderman DeVries stated I certainly agree with Alderman O'Neil that through April is still a heating season, is still a higher incidence of fires happening in the winter months and they don't end in February. I guess what I am asking of the Chief is that he continue to work with his staff and see if he cannot find other ways of managing this budget as every department head in this city is doing and to continue to work with Finance to fine tune some of the increases that he is going to be taking on with the contract should it pass this evening because I don't think it's going to hit all at once.

Mayor Baines stated I just want to get...is there agreement to accept the amendment so that we can get a vote here?

Alderman Lopez stated it's an amendment.

Alderman DeVries stated a friendly amendment.

Mayor Baines asked are you willing to accept that?

Alderman O'Neil replied a question for Alderman DeVries if I may.

Mayor Baines stated because if not I'll just accept it as an amendment to your motion.

Alderman Lopez stated an amendment is an amendment why does it have to be agreed to.

Mayor Baines stated it was a procedural issue that he could substitute that as the motion, that's the question.

Alderman Lopez stated okay I understand that.

Mayor Baines stated I'm asking you one more time.

Alderman O'Neil asked may I ask Alderman DeVries a question?

Mayor Baines replied yes.

Alderman O'Neil asked, Alderman DeVries, would that motion...are you saying that we still have some work to do going forward but at least we're moving forward? We haven't solved, if I understood you right, we haven't solved the problems at the Fire Department entirely, we've probably haven't solved the problems at the Highway Department entirely, but we're moving forward and we'll continue to address them as we move forward.

Alderman DeVries replied and I think it gives everybody a better shot at having...

Alderman O'Neil stated then, your Honor, I agree with what Alderman DeVries said.

Mayor Baines stated the motion then would be...I'm just going to clarify, everyone just listen and we'll be fine. The motion now, as I understand, would be...Kevin, if you would clarify.

Mr. Clougherty stated what you're talking about is changing your directive to the departments in such a way that it's going to have a tax impact, so you're really changing the directive.

Mayor Baines requested Deputy City Clerk Johnson address the Board.

Deputy City Clerk Johnson stated as I understand it it would be to restore \$150,000 to the Fire Department's budget releasing them somewhat from the 2% and adding an additional \$150,000 to contingency.

Alderman O'Neil stated I don't want to speak for Alderman DeVries but her recommendation was that that could be used to help Highway down the road.

Mayor Baines stated it's in contingency and it's for whatever the Aldermen to use it for.

Mr. Clougherty stated I just want to make sure that everyone is aware that the way that this is funded is through increased taxes.

Mayor Baines stated everybody understands that and we've already discussed it that it would be 5.8% approximately and called for a vote on the motion by Alderman O'Neil, seconded by Alderman Roy. Now, be patient here we will get to everybody.

Alderman Porter asked, Chief, if you had the \$150,000 that would put two ladder trucks into service for 16 weeks, correct?

Chief Kane replied yes.

Alderman Porter stated if you had the \$150,000 would it be better to have two in-service for 16 weeks or one which would just about carry you through '05? I guess my point is would it be best if we're going to give \$150,000 to let the Chief use it as he deems would be appropriate for the length of service for a truck.

Chief Kane replied I think that Alderman O'Neil and Alderman DeVries identified a critical time of year for the Fire Department.

Alderman Porter stated so you agree for the two for 16 weeks.

Chief Kane replied yes.

Alderman Gatsas stated some 14 weeks ago we had a budget before us and the Chief sat in that same seat and we talked about a 2% cut and he told us that ladder trucks were going to be taken out-of-service, I didn't hear one of the five people that voted against that budget ever talk about putting the citizens at risk or blaming other Aldermen or taking them to task about putting citizens at risk. We had the opportunity to give the directive and do what we wanted at that time. We, for some three months, have had two ladders trucks out-of-service. I don't think it's right, the chatter around the firehouses say it's not right, you haven't laid off any people and I guess you could take some of those 32 floaters and what I understand, Chief, is you could lay four of those people off...that would give you enough money to man these trucks, man the ladder trucks, nobody's talked about that. All I've heard is chatter and people in the firehouses saying they're washing floors, they're doing things, there are five people on trucks...I didn't go solicit it, those are the rumors that I've heard...whether they're true or not I don't know, but I assume they are because you haven't sat there and said to me...Alderman, there aren't five people on trucks, there aren't people doing other things than riding on ladder trucks. So, I think that when we reduced your budget in July and took those ladder trucks out-of-service nobody in here, nobody talked about citizen's safety and people voted for that. There were five people that voted against that budget with that 2% reduction. So, I think, Chief, that we have to find a way to make it work and whether we come back as this Board because I remember we were in a crisis position with Welfare three or four years ago and the funny thing is we found a million dollars to cope with it and today we're talking about ladder trucks out-of-service, but four years ago we found a million dollars for Welfare. I think we can do the same thing. My recommendation and I certainly would make the amendment if Alderman O'Neil would accept it is to put those two ladder trucks in-service, I don't want to micromanage you, but obviously that is where we've gone and come back to us at the end and say that there's a problem. But, I don't think we should be funding overtime and just putting it in the pot today. I don't think anybody on this Board would say no if we had a problem meeting your needs something in April or May because who knows what could happen from here until then and we shouldn't be talking about increasing tax rates until the time comes that we have to find the money to provide those

services beyond what we need to do today. So, I think we've done it for three months, I think we can find a way to do it, we should man those two trucks without a question of a doubt. But, I certainly believe that if you came to us in April there isn't a member on this Board that would tell you lay people off or fire them or shut down ladder trucks before we found a way to get you the money. I think that's what we should do, that's the responsible thing to do and wait until it happens. Thank you, your Honor.

Alderman Shea stated I second his motion.

Mayor Baines stated there is no motion.

Alderman Gatsas stated I'll make it a friendly motion if Alderman O'Neil wants to accept it.

Alderman Roy stated I appreciate Alderman Gatsas' desire to get these ladder trucks back in-service...I do want to give two instances that happened from the Webster Street firehouse regarding safety to constituents and firefighters. During one of our Aldermanic meetings we had a fire at Colonial Village, the engine was on scene seven minutes with men in the building taking residents out before the second truck...another engine was there to help them. Another situation which happened on I-93 where a family from Bow was tragically killed when a pick-up truck crossed the highway, Engine 5 sat on Route 93 in support for almost five hours. During that time a ladder truck sat in the engine house without anyone there to staff it. Over the 20% time that the Chief has had men doing extra jobs in order to cope with his overtime problem we have not been able to staff those ladder trucks as was suggested by Alderman DeVries at the beginning of October at a Public Safety meeting and I commend her and Alderman O'Neil for doing that because they made it very clear that when we had the manpower staff the ladder trucks that has not been done. So, if this is the only way we can get our ladder trucks fully-manned, operational, protecting constituents and our city employees then I'm willing to take the hit of saying raise taxes.

Alderman Porter stated I just want to clarify my other point and I will address this probably to Alderman DeVries and Alderman O'Neil just so that you know the exact time frame. You said this Sunday is the next 8-week shift, okay that will be November 7th. If you have two trucks for the 16 weeks that's November 7th through February 27th you'll still have March and April which are considered heating months with no ladder trucks again. If you go one truck from November 7th it will carry you through June 19th, so I would like to defer to Alderman DeVries, since Chief Kane did, and Alderman O'Neil to consider that. Would it be better to have two and then have no trucks in March and April or one through the middle of June.

Alderman O'Neil asked may I respond, your Honor?

Mayor Baines replied yes.

Alderman O'Neil stated I think one of the things that I think we would put the Chief in a very unfair situation is pitting sections of the city against one another and I think that's unfair. I think these trucks are needed in both sections of the city that they are required to cover.

Alderman Smith asked how much does a ladder truck cost, what were the expenses when the ladder trucks were bought. How much money is sitting aside by not having those ladder trucks on the road.

Chief Kane replied the cost of a ladder truck is about \$750,000.

Alderman Smith stated so you're telling me that for two pieces of apparatus (\$750,000)...you've got them sitting in the parking lot, right.

Chief Kane replied that's correct, they're sitting at the fire stations.

Mayor Baines asked is there any further discussion before we take a vote?

Alderman Roy stated just to continue with Alderman Smith, I believe we have an additional ladder truck on order for our CIP budget.

Deputy City Clerk Johnson stated the motion is restoring \$150,000 to the Fire Department and placing \$150,000 in contingency.

A roll call vote was taken with Aldermen O'Neil, DeVries, Garrity, Thibault, Forest, Roy and Porter voted yea. Aldermen Lopez, Shea, Smith, Gatsas, Guinta, Sysyn and Osborne voted nay. The motion carried.

Mr. Clougherty stated just mechanically so people are aware...the way we are going to have to do this is with the Fire Department's additional \$150,000 in his directive that's easy, that goes up. But, to raise the money for contingency we will have to raise collectively some other department and change the directive so that the money is raised and at a subsequent meeting I'll come in and transfer that into contingency. Just so that people know that I am not changing anybody's appropriation but mechanically that's the way for the tax rate.

Mayor Baines asked would the Aldermen this evening also want to entertain a motion that we talked about during the last budget presentation from the salary adjustment account to transfer \$250,000 to the Fire Department and the remainder to contingency.

Alderman Lopez moved for discussion. Alderman Shea duly seconded the motion.

Alderman Shea stated for clarification in the contingency, Kevin, we were down to \$480,000 and we're setting aside another \$150,000 which leaves now \$330,000 in contingency, is that correct?

Mr. Clougherty replied no it would be higher than that.

Mayor Baines stated we have approximately \$125,000 there now.

Alderman Shea interjected, your Honor, we had \$130,000, we added \$750,000 which brought it up to \$880,000, we deducted \$250,000 which brought it to \$630,000, we deducted \$150,000 more which brought it down to \$480,000 and now we're setting aside of the \$480,000, \$150,000 that can be used by the Fire Department which leaves \$330,000, is that correct, Kevin?

Mr. Clougherty replied no.

Mayor Baines stated no, you're deducting about \$150,000 too much. Let Kevin tell you because the math is not working for me right now.

Alderman Shea asked can you clarify, Kevin, what we actually will have left?

Mr. Clougherty stated I think what you're letting out, Alderman, is when you started you had \$750,000 in salary adjustment. You also had a balance of about \$130,000 in the contingency account and tonight you're adding another \$300,000. So, those are the increases and GTE's you up at \$1.180 million. What happens now against that you have to consider the \$250,000 that you gave to Fire plus the \$300,000, so \$500,000 against that, so that leaves you...

Alderman Lopez interjected correction...

Mayor Baines replied yes.

Alderman Lopez stated I think that by the friendly amendment we gave \$150,000 plus the \$250,000 to the Fire Department and put another \$150,000 in contingency.

Mayor Baines stated that is correct.

Alderman O'Neil stated I don't think we necessarily need to bring Frank up here but Frank has to have some direction, snow is going to start flying here pretty soon...there's a 7/7 vote, does he continue to do snow removal operations as he has in the past?

Mayor Baines replied I think we should let Mr. Thomas manage his department and if there are issues he comes back to the Board and presents the problem to the Board and we figure out how to deal with it.

Alderman O'Neil stated so what we're saying is to address snow removal operations the way you normally would, keep us up-to-date and if there's a problem you come back and tell us there's a problem, is that what we're saying?

Mayor Baines replied that's what I'd be saying to him.

Alderman O'Neil stated alright that's what I thought in Alderman DeVries' amendment earlier. I think Mr. Thomas needs to understand where this Board is coming from.

Mayor Baines stated as you know the situation, when I talked at the last meeting, I was concerned about the contingency. I think I'm a little bit more comfortable with it now, not totally comfortable but dealing with some emergencies that might emerge not only in his department...we could have a situation in the Police Department, if he has a major homicide or something like that I think we now have a more comfortable situation with contingency to help us deal with the situation. If there's something more drastic than that we'll have to look at other avenues as well.

Alderman Gatsas stated for some reason we always look at Frank Thomas, as even I do when I ask him for a Procurement Code and I appreciate that it was delivered this evening, but we always look at Frank Thomas in a different light than we do some other departments. I just made the same statement about Fire. For them to stay where they're at, do what they do, put the two ladder trucks come in and come back and see us when there's a problem, but for some reason that wasn't good enough for the Fire Department. There are enough funds that are floating around here, reserve accounts, that we keep opening up that in April or May we have an opportunity to get into those funds if we have a problem. So, there was no reason to raise the tax rate in this city, the taxpayers are having a tough enough time and I understand it's not a big deal, your Honor, but it certainly doesn't send the right message.

Mayor Baines stated I think the message, in all due respect, Alderman, is that we're trying to send a message that we're trying to preserve public safety. But, I just want to clarify from the Mayor's perspective and I don't want to speak for any individual Aldermen because as you've seen tonight they're very capable of speaking for themselves...my point is very simple, is that we made a statement that reaffirms some of the concerns that I expressed earlier on that we're trying to preserve public safety and vital services to the community. Other Aldermen have different approaches. We now have taken a vote, we need to move forward; that's it. There's nothing more than that. You're viewpoint has equal credibility to mine.

Alderman Gatsas stated, your Honor, I certainly appreciate where you're coming from but back in July when we took those two ladder trucks out-of-service we at that point were saying no, we shouldn't do this.

Mayor Baines stated, Alderman, I agree with you on that but in July when we were doing...we were hoping that what we were doing was very much short term because at the time we were litigating and trying to get an issue resolved that you were working with us on. None of us envisioned it to continue into the winter months. I think that's the difference of what we're talking about now. So, we really need to move on everybody's made their points.

Alderman Shea stated, Mayor, by your vote you've added money to the tax rate, is that correct?

Mayor Baines replied yes.

Alderman Shea stated you've added \$300,000 to the tax rate.

Mayor Baines asked what does that translate to, Mr. Clougherty?

Alderman Shea interjected I don't care what it amounts to...

Mayor Baines stated no, I want to know what it amounts to. If you're just going to say it's adding money to the tax rate I think the people should know what it is and what we're trying to do here. I presented a budget in March that I felt was realistic for Police and Fire and public safety, we've had to make some adjustments, we're all trying to work through a problem but we have a majority vote and move on. What's the amount of money?

Mr. Clougherty replied you've gone from a 5.5% to about a 5.8% increase.

Mayor Baines asked what does the increase that we added average to the property tax rate?

Alderman Porter interjected six cents (\$.06).

Alderman Shea interjected six cents per \$1,000.00. I'd like to make a motion at this time that we reduce the tax rate to the original 5.4% by taking \$300,000 out of the one time account; that is what we said to the public that we as an Aldermanic Board would agree on and this last minute business of adding and adding and adding and adding is not right. So, I ask for a second to my motion to take \$300,000 out of the one time account which is the account that we have there.

Mayor Baines asked which one?

Alderman Shea replied the one that Kevin mentioned when we were discussing the budget that had to do with the money that we get from Wellington Road and so forth, so that's the one time account, Kevin, which is a reserve account, is that correct? And, as far as I'm concerned we should help the people of Manchester.

Mayor Baines asked what kind of a vote would you need for that, Mr. Clark?

City Solicitor Clark replied I believe it's two-thirds vote.

Alderman Lopez duly seconded the vote for discussion.

Mayor Baines stated, Aldermen, with all due respect people know how they're going to vote on this tonight.

Alderman Lopez interjected no they don't, I think it's important.

Mayor Baines maybe they don't, I'll give you the benefit that they don't, go ahead.

Alderman Lopez stated I'm not saying they don't, just a little discussion...how much money is in the one time account, Kevin?

Mr. Clougherty replied I believe about \$1.3 million available. Some of what's in there is earmarked for Jac Pac.

Alderman Lopez stated Alderman Gatsas made a very good comment...we put in all of these accounts and then hurt the taxpayers to a degree because we put money away and for whatever reason that's good if you can do it, but we seem to do it and I won't go into details but go in and buy things and stuff like that, but yet we need that money and the Mayor has indicated that we need more money in the contingency fund. I would like to see how many...we need 10 Aldermen...the money is sitting there doing nothing. Let us move a million dollars into contingency...if everybody is so hyped as giving and having something in contingency for the unknown and we won't let the manager's manage then we might as well put all of the money into the contingency fund and let them come before us and say we need a hundred thousand dollars, we need two hundred thousand dollars...I've heard so many times, your Honor, that you've said let the manager's manage and we should only make policy decisions...but, we keep making these funds...one time account, use the Tax Stabilization account, it lasted just like that. Alderman Wihby sat right over there and said if you're going to take it out the following year don't make it. We took it all out...so, we're hurting all the way around...we can't take money out of the Rainy Day fund. But, yet we can make all these other funds, put them away...I asked a question at the last meeting about the reserve Insurance fund, it's so complicated that there's not the money in there we think

that's in there and I won't get into that, maybe under new business we'll get into that, but we haven't got those answers yet. So, are there ten Aldermen here that want to take...

Mayor Baines interjected well we're going to find out if you let us vote. But, secondly, let me make this point about reserves. We are funding reserves appropriately. Secondly, if you take money out of that account when you start the budget next year you start it \$300,000 in the hole because you don't have anything to match it on the revenue, so that is not a responsible thing to do, clearly, and I think that is very clear. You don't use one time revenue in this kind of a strategy. It doesn't make any sense, the Finance Office has said it over and over again because you start your budget of the year in the hole. You can take a million dollars out of say Rainy Day fund and then you'd start your budget next year with a one million dollar hole with nothing to replace it with. That is not responsible. We've built responsible reserves in the city and we're taking a very small measure tonight to try and get some ladder trucks back into effect and I believe that was a responsible thing to do. People could argue that it's not but I believe it was a responsible thing to do and it will be respected in my view by the taxpayers.

Alderman Osborne asked why are we trying to spend money before we have to. Why couldn't we wait until next April or whenever. Put them on there and whatever we spend, we spend and maybe we won't spend as much as what we're trying to allocate here, whatever. Why are we trying to spend and allocate something before we have to.

Mayor Baines stated because I think there was a feeling that we had a particular public safety agency that felt that they were under some stress here to provide adequate public safety, that's why.

Alderman Osborne stated we're still doing that though. By putting the ladder trucks on we're still protecting safety.

Mayor Baines stated we are now but will we actually have the money to allow them to actually do it.

Alderman Guinta stated I don't want to prolong the argument for too, too long but I would agree with you, Mayor, that people, taxpayers respect what we're trying to do and provide safety to the city. What I think the taxpayer's disrespect is the tax rate increase. So, we're not going to solve this issue tonight but I think a longer term solution is try to adjust the funding side issues that we did try to address during throughout this budget process. We're here on November 3rd and could have addressed it over the last six months and I know that you share the same opinion because we're talking about starting the budget cycle much earlier for next year and I would certainly hope that these types of issues are addressed because we have made a commitment as a Board to start working earlier on the budget rather than later. Maybe we can find some efficiency...there are a lot of good ideas that come out

of members of the Fire Department to find alternative ways to provide safety without taking ladder trucks out-of-service and getting into these situations. Maybe it's time we start listening to more people. It's a challenge to be in the situation and thrust upon the taxpayers these higher rates particularly at the last moment because that's what we're doing, we're trying to get it in before the DRA sets the rate.

Mayor Baines stated I agree. I will ask Deputy City Clerk Johnson to read the motion and then we are going to take a vote.

Deputy City Clerk Johnson stated the motion is to remove \$300,000 from the one time revenue fund account to be placed towards the tax rate.

Mayor Baines called for a vote on the motion. A roll call vote was taken. Aldermen Forest, Roy, Guinta, Sysyn, O'Neil, DeVries, Smith and Thibault voted nay. Aldermen Gatsas, Osborne, Porter, Lopez, Shea and Garrity voted yea. The motion failed.

- 10.** Communication from Dick Dunfey, Manchester Housing and Redevelopment Corporation, advising of the Board of Trustees approval of a proposal from Brooks Property to acquire and develop the French Hall property located on Hackett Hill Road.

Alderman Roy moved for discussion. Alderman O'Neil duly seconded the motion.

Alderman Lopez asked is it going to Lands and Buildings?

Mayor Baines replied no it's coming to the full Board.

Alderman Smith stated the figure was set at \$1.3 million and they have offered \$1.350 million, I would like to know what the situation is and how this arose?

Mayor Baines stated there is a question out there and asked can we have Mr. Clark respond to why this is coming to the Board, Mr. Clark?

City Solicitor Clark stated when this property was taken by the Housing Authority on behalf of the City the Cooperation Agreement was entered into between the City and the Housing Authority whereby they market the property and they report back to the full Board for approval.

Mayor Baines stated why don't you proceed with your answer and please introduce everybody who is with you too...Jane or Mr. Edwards, please proceed.

Alderman Gatsas stated a procedural question. When Easter Seals came before us, your Honor, with a purchase and sales they came to Lands and Buildings.

City Solicitor Clark stated there is nothing to prevent the Board from referring to Lands and Buildings but they report back to the full Board.

Mayor Baines asked, Jane, would you please introduce everyone.

Ms. Hills stated can I just add to what Tom said that we went to Lands and Buildings because Easter Seals would have required a variance to use that property and they also did not want to pay full taxes on the property, so the City had to make a decision as to whether they wanted to go with that proposal or not. This particular proposal meets all of the requirements for that zoning category, it would not need a variance and they are prepared to pay full taxes on the property.

Mayor Baines asked could you please introduce the people who are with you.

Ms. Hills introduced herself as Jane Hills, Assistant Economic Development Director, Charles Panasis who is representing CB Richard Ellis who has been marketing the property for us and Ken Edwards from the Manchester Housing and Redevelopment Authority.

Mr. Edwards stated we also have Richard Freedman from CB Richard Ellis and Eric Brooks is here representing his company.

Alderman Smith stated my question is the asking price was set and his offer has been substantially less than was originally stipulated.

Mr. Edwards stated that is correct. We had hoped that we would get full asking price for the property...the first offer by Brooks Properties was a million dollars and we were able to negotiate that up to \$1.150 million. As part of the negotiation we were concerned about site utilization and along with negotiation on price we got Brooks Properties to commit to doubling the size of the building over a 5-year period and we felt that that was a very significant addition to the project because it would basically double the tax base and create double, if not more the employment opportunities for that site. We feel that their offer with the commitment to double the size of the building within five years is significant and we're ready to recommend it.

Alderman Lopez stated the 5-year, 35,000 square feet...if they don't do that it comes out to a dollar a square foot, is that fair?

Mr. Edwards replied that is what we were able to negotiate with them. Again, we're interested in maximizing that site. In order to assure that it does get developed we have

negotiated and they have agreed to a penalty of \$30,000 per year after five years through the tenth year for every year that they fail to develop that additional 30,000 square feet.

Alderman Lopez stated I would like to ask Alderman Porter a question in reference to...

Alderman Porter interjected I just have a comment. I think for us to go any further this evening is a waste of everybody's time, I would like to see this referred to Lands and Buildings...the reason being, number one, there is no performance date, there is no deposit noted, there is no purchase and sales agreement...we have absolutely nothing but a proposal. If this Board approves this proposal we're approving nothing. I move that we refer this to Lands and Buildings. Alderman Lopez duly seconded the motion.

Mayor Baines stated let them respond to it before I entertain a vote to refer it to committee.

Mr. Edwards stated we have in the past handled development of industrial parks for the City, Manchester AirPark is the most recent one and we have been following the same procedure that we have followed to carry out that particular project. We have signed a letter of intent to purchase with Brooks Properties subject to concurrence by this Board and we would...our obligation through the Cooperation Agreement is to carry through with negotiation of a purchase and sales, signing of a land disposition agreement with a good faith deposit, and the time constraints under which the development take place; that is what we have done in the past for the City throughout all of the industrial parks that we've done for the City. The Cooperation Agreement plays out that that is what we will do.

Mayor Baines stated the motion on the floor is to refer it to committee. The only discussion now...now the motion is to refer it to committee or not refer it to committee.

Alderman Roy stated point of order, your Honor, the Clerk did have a motion made by myself and seconded by Alderman O'Neil.

Mayor Baines stated you're right but you could still have a motion to refer it to committee, am I correct?

City Solicitor Clark replied if there is a motion on the floor that motion takes precedence unless the motion to refer to committee is an amendment to that motion. You can move to amend the main motion to refer it to committee.

Alderman Porter and Alderman Lopez so concurred that their motion was to amend the main motion to refer the item to the Committee on Lands and Buildings.

Mayor Baines stated we all accept it as a motion to the main motion.

Alderman Roy stated it was to approve the agreement.

Mayor Baines stated I didn't think we had done that. I want to watch the tape on that one.

Alderman O'Neil asked are we allowed to ask a question on...

Mayor Baines interjected no there's an amendment to send it to committee.

Alderman O'Neil stated it's relevant to sending it to committee.

Mayor Baines stated okay then you can proceed.

Alderman O'Neil asked, Ken, is this purchase time sensitive?

Mr. Edwards replied no it can wait a couple of weeks if it's what it would take.

Alderman O'Neil stated I noted that they were going to take some of the space and lease the remainder to a national tenant, so this isn't time sensitive. So, if it went to committee it would not kill the project.

Mr. Edwards replied no, I don't believe so.

Alderman O'Neil stated I'm not asking you to speak for the potential buyer. Thank you.

Alderman DeVries stated let's see if we can work this in a round about way for you. I'm just wondering if the other Aldermen would allow a discussion before they send it to Lands and Buildings. I don't know how long the due diligence period is, but I know that the Highway Department would dearly love to not have the maintenance of French Hall in their budget for the winter if per chance this was going to relieve them of any portion of that burden.

Mayor Baines asked would it?

Mr. Edwards replied this is probably a 90-day process to close.

Mayor Baines called for a vote on the motion that it be referred to committee.

A roll call vote was taken on the motion to amend the motion by referring the item to the Committee on Lands and Buildings with Aldermen Roy, DeVries, Thibault and Forest voted nay. Aldermen Gatsas, Guinta, Sysyn, Osborne, Porter, O'Neil, Lopez, Shea, Garrity and Smith voted yea. The motion carried.

Mayor Baines called for a vote on the main motion as amended, to refer the item to the Committee on Lands and Buildings. The motion carried with none recorded in opposition.

Deputy City Clerk Johnson asked, your Honor, can we take up an item of new business before we proceed.

Mayor Baines asked who do we need.

Deputy City Clerk Johnson replied Mr. Edwards.

Amendment to purchase agreement for Jac Pac

Mayor Baines stated we will address an amendment to real estate purchase agreement for Jac Pac. Mr. Edwards if you could just come forward again. If you could just explain that to the Board.

City Solicitor Clark stated, your Honor, I could explain that probably better because we asked Mr. Edwards to stay in case you had a question on the environmentals. When the Aldermen approved the Purchase and Sales Agreement it had a couple of dates in it. One was November 15th for completion of environmental surveys and another is December 30th for closing. They have gone out and done a Phase I survey of environmentals and they're into Phase II now. Tyson Foods has agreed to an extension, as I understand it, and these two dates would just extend the closing and the environmental survey by one month to allow us to get a full picture on the property.

Alderman Garrity moved to approve the extensions as outlined by City Solicitor Clark. Alderman DeVries duly seconded the motion.

Alderman Gatsas asked, Tom, do you know are we going to receive copies of those 38 easements that are on the property by page and title and what they are? I'm requesting that, can that be part of this motion that we see those before we close? There are 38 easements that are on that property and I think, we as a Board...

City Solicitor Clark Stated that's the documentation put together by Atty. Craig and Atty. Wenners...I have no problem sending it out.

Mayor Baines stated we'll just send it out.

Alderman Gatsas stated not just the page and number but what those easements are.

City Solicitor Clark stated they're not just easements they're just reservations of rights and different other things, they're not just easements.

Alderman Porter asked, Attorney Clark, what was the reason for the request for the amendment?

City Solicitor Clark replied the Phase I Environmental has been completed, there is a Phase II Environmental on-going, it won't be completed on time. Tyson has agreed to give us more time to get the environmental work done.

Alderman Porter stated I don't have a problem with that and I know which way I will vote. I think there's no reason in the world that Atty. Wenners couldn't have outlined that rationale and the reason for this other than just getting this here and having a verbal from our Solicitor. When you're dealing with real estate it should definitely be in writing, everything, if there's a request to do it for a specific reason we should be given that from the person who's requesting the change and I think that in the future I would like to ask Atty. Clark if he would have those people put it in the form of writing before we take a position on it.

City Solicitor Clark stated, Alderman Porter, I don't disagree with you. Atty. Wenners had sent this to me at the end of last week, he called me today and asked for Board approval was necessary and I said yes and he asked me if I would walk it to the City Clerk's Office.

Alderman Roy asked, Tom, does this put in jeopardy any of the City's deposits or any taxpayers dollars.

City Solicitor Clark replied no it does not.

Alderman Osborne asked why are they going into Phase II?

Mayor Baines replied because the Board requested Phase II be done.

Alderman Osborne asked are they finding a little something, is that it?

Mayor Baines asked Mr. Clark please respond.

City Solicitor Clark stated Mr. Edwards can actually address the environmentals.

Mr. Edwards stated the Phase I did not point out any particularly new issues on that site, but it was felt that a Phase II would be prudent in order to explore some areas that aren't currently being observed with existing monitoring wells for petroleum issues that are known at the site.

Alderman Osborne asked something to do with the slaughtering that was done down there for many, many years.

Mr. Edwards replied no, I don't believe so, no.

Mayor Baines called for a vote on the motion to amend the Jac Pac Purchase and Sales Agreement. The motion carried with Alderman Porter duly recorded in opposition.

TABLED ITEMS

11. Bond Resolution:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the 2005 CIP 811305, Revaluation Update Project.”

(Tabled 08/03/2004)

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to remove items 12 and 13 from the table for discussion.

12. Communication from the Board of Assessors requesting all or some measure of dispensation from the 98% spending directive in order to address and resolve several issues.

(Tabled 10/05/2004)

13. Communication from Leo Bernier, City Clerk, requesting dispensation from the Board's 98% spending directive due to the unanticipated costs associated with both the September and upcoming November elections and requesting that \$9,500 be set aside in contingency funds for this purpose.

(Tabled 10/05/2004)

On motion of Alderman Lopez, duly seconded by Alderman Garrity, it was voted to receive and file items 12 and 13.

On motion of Alderman Roy, duly seconded by Alderman Forest, it was voted to remove item 14 from the table for discussion.

14. Rezoning petition submitted by Keach-Nordstrom Assoc., Inc. on behalf of Hanaby Homes, LLC for property located at the northwest corner of Front Street and Hackett Hill Road (TM 767, Lots 4 & 4B).

Alderman Forest moved to refer the rezoning petition to a public hearing on Monday, November 22, 2004 at 6:00 PM in the Aldermanic Chambers and to the Committee on Bills on Second Reading. Alderman Roy duly seconded the motion.

Alderman Roy stated November 22nd is the night of the Smyth Road School Science Fair which you will be invited to shortly and I will be attending.

Mayor Baines stated this shouldn't be very long. What time is that event?

Alderman Roy stated it starts at four-thirty.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Communication from the Chief Negotiator requesting to meet with the Board for a negotiation strategy session.

On motion of Alderman Thibault, duly seconded by Alderman Garrity, it was voted to recess the regular meeting to meet with the Chief Negotiator for a negotiation strategy session.

Mayor Baines called the meeting back to order.

Alderman DeVries moved to suspend Rule 26 and ratify and confirm the Manchester Professional Firefighters Association Agreement in accordance with the Memorandum of Understanding and cost calculations presented October 29, 2004, effective date to be upon ratification by Association. Alderman O'Neil duly seconded the motion.

Alderman Smith asked, Joe, do you have enough money in your budget?

Chief Kane replied yes.

Mayor Baines called for a vote on the motion, there being none opposed the motion carried.

There being no further business to come before the Board, on motion of Alderman Smith, duly seconded by Alderman Garrity, it was voted to adjourn.

A True Record. Attest.

City Clerk